

NH Insurance Department SUD Market Conduct Exam Update – December 5, 2016

Procedural status (see reverse side for more detail on the statutory process):

- Three exams are underway, still at confidential stage
- Verified written reports issued for all; Examined companies' responses due **December 5**
- Next steps:
 - o Commissioner has 30 days to review reports and companies' responses
 - o Then: **issue order** to company OR **direct reopening** of exam OR **investigatory hearing**
 - o Company has 20 days from order to request closed meeting
 - o Then: **Final order**, filing of report
 - o After filing, Commissioner may open report for **public inspection**
- Likely timing for making exam results public: **Late December/early January**

Topics covered in exam:

- Delegated service contracts
- Network adequacy
- Website consumer ease of access
 - o Provider directory accuracy
- Pre-authorization
 - o Protocols
 - o Actual practices/review of denials
- Grievances and Appeals
- Claims volume/quantitative analysis
- Medication Assisted Treatment
 - o Formulary design
 - o Age limitations
 - o Formulary exceptions process
 - o Dosage and refill limits
 - o Lifetime/annual limits
 - o Pre-authorization for Methadone and Buprenorphine
 - o Penalties or Exclusions for failure to complete course of treatment
 - o Medical necessity standards for Methadone and Buprenorphine
- Mental Health Parity
 - o Market Review (applicable markets)
 - o Quantitative Treatment Limits
 - o Non-Quantitative Treatment Limits
 - o Medical Necessity Policies and Procedures
 - o Consumer access to medical management policies/guidelines
 - o Consumer contract language
 - o Policy development and updates
 - o Pre-certification/Prior authorization
 - o Provider reimbursement rates and fee schedules
 - o Processes and procedures for determining Usual and Customary